IN THE HIGH COURT OF JUDICATURE

ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE D.APPA RAO

WRIT PETITION NO :7177 of 2006

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Dated: 19th June 2006.

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Between:

Smt. M.Yadamma

..... PETITIONER

AND

The Commissioner of Police, Bhasheerbagh, Hyderabad and others

.....RESPONDENTS

THE HON'BLE SRI JUSTICE J.CHELAMESWAR

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

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W.P.NO.7177 OF 2006

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ORAL ORDER:

(Per the Hon'ble Sri Justice D.Appa Rao)

The petitioner, who is the mother of the alleged detenu, seeks issuance of a writ of Habeas Corpus for production of the alleged detenu, as he was taken away by the Police on 08-04-2006 and was not produced before the Court.

In fact, earlier one E.Rajendra Prasad, gave a report to the Police alleging that on 07-04-2006 at about
8:00 p.m., the alleged detenu Mr. A.Anand, who is residing nearby, came to his house, asked his daughter Sangeetha as to why she was talking to one Laxman over telephone, took her to his house and beat her along with his mother Yadamma, who is the petitioner herein and her relatives. The same incident was informed by his daughter, to him, after returning to house. On that he lodged a complaint mentioning the above facts and further that the alleged detenu Anand has agreed to marry his daughter, however, they are now declining the marriage proposal. Basing on the said complaint, the Police registered a case in Crime No.219/2006 under Sections 448, 509, 323 of the Indian Penal Code on 10-04-2006, against the alleged detenu and his family members, importantly, the petitioner herein as
A-2. Two days thereafter, ie., on 12-04-2006, the mother of the alleged detenu Yadamma, filed this writ petition alleging that her son was taken away by the Police on
08-04-2006.

The 3rd respondent filed a counter affidavit mentioning the above facts and the registration of case and also that the police have arrested the alleged detenu on

12-04-2006 and produced him before the X Additional Chief Metropolitan Magistrate at Secunderabad, who in turn remanded him to judicial custody.

In view of the fact that the police had arrested the petitioner's son basing on a complaint and also that he was remanded to judicial custody, we do not see any ground, whatsoever, to pass any further orders in the writ petition. Nothing survives in this writ petition.

In the circumstances, the writ petition is closed at the stage of admission.

J.Chelameswar, J

D.Appa Rao, J

19th June 2006

mrk